

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROGER E. WESTERHOLD,

Defendant.

4:18CR3036

ORDER

Defendant has moved to continue the pretrial motion deadline and jury trial, (Filing Nos. 17 and 18), because Defendant and defense counsel need additional time to fully review the discovery received before deciding if pretrial motions should be filed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motions to continue, (Filing Nos. 17 and 18), are granted.
- 2) Pretrial motions and briefs shall be filed on or before July 9, 2018.
- 3) Trial of this case is set to commence before the Honorable Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on August 6, 2018, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.
- 4) The ends of justice served by granting the motions to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motions, the time between today's date and July 9, 2018 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might

result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

June 12, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge